

APPEAL, CLOSED

**United States District Court  
District of Massachusetts (Boston)  
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10217-GAO-ALL**

Case title: USA v. Wilder

Date Filed: 07/21/2004

Assigned to: Judge George A.  
O'Toole, Jr

**Defendant**

**Darren F. Wilder (1)**  
*TERMINATED: 06/29/2006*

represented by **Peter C. Horstmann**  
Law Offices of Partridge, Ankner  
& Horstmann, LLP  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

18:2252(a)(1) Transportation of  
Child Pornography  
(1)

18:2252(a)(1) transportation of  
Child Pornography  
(1s)

**Disposition**

180 months imprisonment on  
each of counts 1ss-3ss, to run  
concurrently with each other. The  
court recommends to the Bureau  
of Prisons that the defendant  
participate in a sex offender  
treatment and mental health  
treatment, such as Fort Devens, if

18:2252(a)(1) transportation of  
Child Pornography  
(1ss)

available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Commitment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.

18:2252(a)(2) Receipt of Child  
Pornography  
(2)

18:2252(a)(1)Receipt of Child  
Pornography  
(2s)

180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Commitment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.

18:2252(a)(2) and (b)(1)  
Attempt/Receipt of Child  
Pornography  
(2ss)

18:2252(a)(4)(B)- Possession of  
Child Pornography

(3)

18:2252(a)(4)(B) Possession of  
Child Pornography  
(3s)

180 months imprisonment on  
each of counts 1ss-3ss, to run  
concurrently with each other. The  
court recommends to the Bureau  
of Prisons that the defendant  
participate in a sex offender  
treatment and mental health  
treatment, such as Fort Devens, if  
available at the designated Bureau  
of Prisons facility. The court  
recommends that the defendant be  
given credit for time served from  
7/21/04-3/2/05. 5 years  
Supervised Release on each of  
counts 1ss-3ss, to run  
concurrently with each other.  
( See the Judgment and  
Committment Order for  
conditions of Supervised Release)  
Defendant is assessed a total of  
\$300.00.

18:2252(a)(4)(B) Possession of  
Child Pornography  
(3ss)

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Sherri A. Stephan**

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**Dana M. Gershengorn**

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Date Filed	#	Docket Text
07/21/2004	<u>1</u>	INDICTMENT as to Darren F. Wilder (1) count(s) 1, 2, 3. (Gawlik, Cathy) (Entered: 07/22/2004)
07/21/2004		Judge George A. O'Toole Jr.: ORDER entered ORDER REFERRING CASE to Magistrate Judge Charles B. Swartwood Reason for referral: pretrial proceedings as to Darren F. Wilder (Gawlik, Cathy) (Entered: 07/22/2004)
07/27/2004	<u>2</u>	NOTICE OF HEARING as to Darren F. Wilder; Arraignment set for 8/5/2004 09:30 AM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 07/27/2004)
08/05/2004		Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Arraignment as to Darren F. Wilder (1) Count 1,2,3 held on 8/5/2004, Initial Appearance as to Darren F. Wilder held on 8/5/2004, Case called, Counsel (Casey, Horstmann), PTS Cuascut & Dft appear, Dft informed of



		rights, charges & maximum penalties, Not Guilty Plea entered by Darren F. Wilder (1) on Counts 1,2,3, Scheduling Order issued, Dft remanded to the custody of the US Marshal. (10:22 A.) (Roland, Lisa) (Entered: 08/05/2004)
08/05/2004	<u>3</u>	NOTICE OF HEARING as to Darren F. Wilder; Status Conference set for 9/15/2004 02:45 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 08/05/2004)
08/05/2004	<u>4</u>	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Darren F. Wilder; Time excluded from August 5, 2004 until August 19, 2004, cc/cl. (Roland, Lisa) (Entered: 08/05/2004)
08/05/2004	<u>5</u>	Judge Charles B. Swartwood :SCHEDULING ORDER as to Darren F. Wilder, cc/cl. (Roland, Lisa) (Entered: 08/05/2004)
09/13/2004	<u>6</u>	STATUS REPORT by USA, Darren F. Wilder as to Darren F. Wilder (Hassett, Kathy) (Entered: 09/13/2004)
09/15/2004	<u>7</u>	Judge Charles B. Swartwood : ORDER entered INITIAL STATUS REPORT as to Darren F. Wilder Status Conference set for 10/28/2004 02:30 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood. (cc/cl) (Hassett, Kathy) (Entered: 09/17/2004)
09/15/2004	<u>8</u>	Judge Charles B. Swartwood : ORDER entered ORDER ON EXCLUDABLE DELAY as to Darren F. Wilder Time excluded from 8/19/04 until 10/26/04. (cc/cl) (Hassett, Kathy) (Entered: 09/17/2004)
10/21/2004	<u>9</u>	JOINT STATUS REPORT by USA, Darren F. Wilder as to Darren F. Wilder (Jones, Sherry) (Entered: 10/21/2004)
10/27/2004	<u>10</u>	Judge Charles B. Swartwood : STATUS REPORT as to Darren F. Wilder; Status Conference set for 11/22/2004 02:00 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 10/27/2004)
10/27/2004	<u>11</u>	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Darren F. Wilder; Time excluded from October 26, 2004 until November 19, 2004, cc/cl. (Roland, Lisa) (Entered: 10/27/2004)
10/29/2004	<u>12</u>	MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> as to Darren F. Wilder. (Horstmann,

		Peter) (Entered: 10/29/2004)
10/29/2004	<u>13</u>	AFFIDAVIT in Support of Peter C. Horstmann, Esquire; by Darren F. Wilder re <u>12</u> MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> (Horstmann, Peter) (Entered: 10/29/2004)
10/29/2004	<u>14</u>	AFFIDAVIT of Peter C. Horstmann, Esquire by Darren F. Wilder <u>12</u> MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> filed by Darren F. Wilder (Horstmann, Peter) Additional attachment(s) added on 11/4/2004 (Edge, Eugenia). (Entered: 10/29/2004)
11/22/2004	<u>15</u>	MEMORANDUM in Opposition by USA as to Darren F. Wilder re <u>12</u> MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> , c/s. (Hassett, Kathy) (Entered: 11/22/2004)
11/22/2004		Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Status Conference as to Darren F. Wilder held on 11/22/2004. Case called, Attorney Horstman appears by telephone, AUSA Stephen does not appear, Case to be sent back to District Judge, Final Status Report to issue. (2:20 P.) (Roland, Lisa) (Entered: 11/22/2004)
11/22/2004	<u>16</u>	Judge Charles B. Swartwood :FINAL STATUS REPORT as to Darren F. Wilder, cc/cl. (Roland, Lisa) Modified on 11/24/2004 (Jones, Sherry). (Entered: 11/23/2004)
11/30/2004		Case as to Darren F. Wilder no longer referred to Charles B. Swartwood. (Roland, Lisa) (Entered: 11/30/2004)
12/02/2004		NOTICE OF HEARING as to Darren F. Wilder Status Conference set for 12/9/2004 02:00 PM before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 12/02/2004)
12/09/2004		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Status Conference as to Darren F. Wilder held on 12/9/2004. A motion hearing is scheduled for Thursday, 1/20/05 at 2:00pm. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 12/09/2004)
12/10/2004	<u>17</u>	Letter (non-motion) regarding Defendant wishes to be present for the Suppression Hearing, which is scheduled for January 20, 2005 at 2:00pm as to Darren F. Wilder (Lyness, Paul) (Entered: 12/21/2004)

01/18/2005	18	Application for Writ of Habeas Corpus ad Prosequendum as to Darren F. Wilder (Lyness, Paul) (Entered: 01/18/2005)
01/19/2005	19	FIRST SUPERSEDING INDICTMENT as to Darren F. Wilder (1) count(s) 1s, 2s, 3s. (Gawlik, Cathy) (Entered: 01/19/2005)
01/19/2005	20	Judge George A. O'Toole Jr.: ORDER entered. ORDER REFERRING CASE to Magistrate Judge Charles B. Swartwood Reason for referral: Pretrial proceedings re: Superseding Indictment as to Darren F. Wilder (Gawlik, Cathy) (Entered: 01/19/2005)
01/20/2005		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Motion Hearing as to Darren F. Wilder held on 1/20/2005 re <u>12</u> MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> filed by Darren F. Wilder, The court takes the matter under advisement. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 01/24/2005)
01/26/2005	21	SECOND SUPERSEDING INDICTMENT as to Darren F. Wilder (1) count(s) 1ss, 2ss, 3ss. (Gawlik, Cathy) (Entered: 01/26/2005)
01/26/2005	22	Judge George A. O'Toole Jr.: ORDER entered. ORDER REFERRING CASE to Magistrate Judge Charles B. Swartwood Reason for referral: pretrial proceedings re: Second Superseding Indictment as to Darren F. Wilder (Gawlik, Cathy) (Entered: 01/28/2005)
02/08/2005	23	Letter (non-motion) regarding arraignment date as to Darren F. Wilder (Jones, Sherry) (Entered: 02/08/2005)
02/10/2005		NOTICE OF HEARING as to Darren F. Wilder; Arraignment set for 3/4/2005 10:00 AM in Courtroom 1 before Magistrate Judge Charles B. Swartwood. Detention Hearing set for 3/4/2005 10:00 AM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 02/10/2005)
02/25/2005	24	MOTION for pretrail Detention as to Darren F. Wilderby USA, c/s. (Attachments: # <u>1</u> Text of Proposed Order)(Jones, Sherry) (Entered: 02/25/2005)
02/25/2005		Judge Charles B. Swartwood : Electronic ORDER entered granting <u>24</u> Motion for Pretrial Detention as to Darren F. Wilder (1). "ALLOWED." cc/cl (Roland, Lisa) (Entered: 02/25/2005)



		02/25/2005)
02/25/2005	25	Judge Charles B. Swartwood : ORDER OF TEMPORARY DETENTION as to Darren F. Wilder. Detention Hearing set for 3/4/2005 10:00 AM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 02/25/2005)
02/28/2005	26	MOTION for Pretrial Detention as to Darren F. Wilderby USA, c/s. (Hassett, Kathy) (Entered: 02/28/2005)
03/01/2005	27	MOTION for Release from Custody <i>PENDING TRIAL AND INCORPORATED MEMORANDUM OF LAW</i> as to Darren F. Wilder. (Attachments: # 1 Exhibit # (2) Exhibit # ) (Horstmann, Peter) Additional attachment(s) added on 3/2/2005 due to contents REVISED copy of document attached(Edge, Eugenia). Modified on 3/2/2005 to add text (Edge, Eugenia). (Entered: 03/01/2005)
03/02/2005		Notice of correction to docket made by Court staff. Correction: Attachments to entry #27 corrected because: contained personal information as to Darren F. Wilder. Atty. Hortsman will bring the deleted exhibits to the detention hearing scheduled for March 4, 2005 before Mag. Judge Swartwood. (Edge, Eugenia) (Entered: 03/02/2005)
03/04/2005		Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Arraignment as to Darren F. Wilder (1) Count 1ss,2ss,3ss held on 3/4/2005, Case called, Counsel (Stephan, Horstmann), PTS Picozzi & Dft appear, Dft informed of rights, charges and maximum penalties, Not Guilty Plea entered by Darren F. Wilder on counts 1-3. Detention Hearing as to Darren F. Wilder held on 3/4/2005, Government calls Colleen Forgetta, Cross, Re-Direct, Re-Cross, Closing Arguments, Dft to be released on condtns, Case continued to 3/9/2005 @ 9:30 am for continuation of Bail Hearing, Gary Wilder called and sworn, Pamela Wilder called and sworn, Dft remanded to the custody of the US Marshal. (10:20 A, 10:35A.) (Roland, Lisa) (Entered: 03/04/2005)
03/04/2005	29	EXHIBIT/WITNESS LIST re: Detention Hearing as to Darren Wilder. (Roland, Lisa) (Entered: 03/09/2005)
03/09/2005		Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Bond Hearing as to Darren F. Wilder held on 3/9/2005. Case called, Counsel (Casey, Horstmann),



		PTS Cuascut & Dft appear, The Court reviews all documents submitted by Defendant, Defendant released on conditions. (10:12 A.) (Roland, Lisa) (Entered: 03/09/2005)
03/09/2005	30	Judge Charles B. Swartwood : ORDER Setting Conditions of Release as to Darren Wilder. (Roland, Lisa) (Entered: 03/09/2005)
03/09/2005	32	Secured Bond Entered as to Darren F. Wilder in amount of \$ \$200,000.00. (Roland, Lisa) (Entered: 03/16/2005)
03/09/2005	33	Secured Bond Entered as to Darren F. Wilder in amount of \$ \$50,000.00, Receipt # 404526. (Roland, Lisa) (Entered: 03/16/2005)
03/09/2005	34	Agreement to Forfeit Property as to Darren F. Wilder located at 298 Haverhill Road. (Roland, Lisa) (Entered: 03/16/2005)
03/09/2005	35	Agreement to Forfeit Property as to Darren F. Wilder (Roland, Lisa) (Entered: 03/16/2005)
03/09/2005		Real Property Documents Filed with the Clerk's Office as to Darren F. Wilder for property located at 298 Haverhill Road. (Roland, Lisa) (Entered: 03/16/2005)
03/10/2005	31	Letter (non-motion) regarding request for transcript as to Darren F. Wilder (Hassett, Kathy) (Entered: 03/10/2005)
03/11/2005		RECORDED MORTGAGE as to Darren F. Wilder (Roland, Lisa) (Entered: 03/16/2005)
03/22/2005		Case as to Darren F. Wilder no longer referred to Magistrate Judge Charles B. Swartwood. (Roland, Lisa) (Entered: 03/22/2005)
03/24/2005	36	AFFIDAVIT OF OWNER OF CASH DEPOSIT by Darren F. Wilder. (Roland, Lisa) (Entered: 03/29/2005)
03/29/2005	37	RECORDED MORTGAGE as to Darren F. Wilder (Roland, Lisa) (Entered: 03/29/2005)
05/06/2005	38	Judge George A. O'Toole Jr.: ORDER entered. as to Darren F. Wilder re <u>12</u> MOTION to Suppress <i>Evidence and Incorporated Memorandum of Law</i> filed by Darren F. Wilder. DENYING <u>12</u> Motion to suppress as to Darren F. Wilder "...the defendant's motion to suppress evidence and request for a FRANKS hearing are denied." It is SO ORDERED. (Edge, Eugenia) (Entered: 05/06/2005)

05/25/2005	●	NOTICE OF HEARING as to Darren F. Wilder Pretrial Conference set for 6/6/2005 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly.(Lyness, Paul) (Entered: 05/25/2005)
05/26/2005	●39	TRANSCRIPT of Detention Proceedings as to Darren F. Wilder held on March 4, 2005 before Judge Charles B. Swartwood, III. Court Reporter: Electronic. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Jones, Sherry) (Entered: 05/26/2005)
06/03/2005	●40	MOTION for Extension of Time to File <i>Conduct Defense Investigation</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 06/03/2005)
06/03/2005	●41	Second MOTION to Suppress <i>EVIDENCE, REQUEST FOR FRANK'S HEARING AND INCORPORATED MEMORANDUM OF LAW</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 06/03/2005)
06/06/2005	●	Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Pretrial Conference as to Darren F. Wilder held on 6/6/2005 Jury Selection set for 12/5/2005 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. Jury Trial set for 12/5/2005 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. Final Pretrial Conference set for 11/22/2005 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. All time between 6/6/05 and 12/5/05 is excluded in the interest of justice.(Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 06/07/2005)
06/16/2005	●42	MEMORANDUM in Opposition by USA as to Darren F. Wilder re 41 Second MOTION to Suppress <i>EVIDENCE, REQUEST FOR FRANK'S HEARING AND INCORPORATED MEMORANDUM OF LAW</i> . c/s (Edge, Eugenia) (Entered: 06/20/2005)
08/08/2005	●	Judge George A. O'Toole Jr.: Electronic ORDER entered denying 41 Motion to Suppress as to Darren F. Wilder (1) The second motion to suppress raises issues that were dealt with and rejected in the memorandum and order denying the first motion to suppress. The defendant argues that the government needed to present direct evidence that the defendant accessed the website; however, I have already rejected that argument

		and have held that there was sufficient evidence supporting an inference that the defendant accessed the website. (Lyness, Paul) (Entered: 08/08/2005)
09/09/2005	<a href="#">43</a>	MOTION to Produce <i>Discovery</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 09/09/2005)
10/19/2005	<a href="#">44</a>	Letter (non-motion) as to Darren F. Wilder (Attachments: # <a href="#">1</a> ) (Horstmann, Peter) (Entered: 10/19/2005)
10/19/2005	<a href="#">45</a>	Opposition by USA as to Darren F. Wilder re <a href="#">43</a> MOTION to Produce <i>Discovery</i> (Attachments: # <a href="#">1</a> cover letter (dtd 10/19/05))(Edge, Eugenia) (Entered: 10/25/2005)
11/04/2005	<a href="#">46</a>	NOTICE OF ATTORNEY APPEARANCE Dana M. Gershengorn appearing for USA. (Gershengorn, Dana) (Entered: 11/04/2005)
11/04/2005	<a href="#">47</a>	Joint MOTION to Continue <i>trial date and exclude time</i> as to Darren F. Wilder by USA. (Gershengorn, Dana) (Entered: 11/04/2005)
11/07/2005		Judge George A. O'Toole Jr.: ElectronicORDER entered granting <a href="#">47</a> Motion to Continue as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 11/07/2005)
11/07/2005		Set/Reset Hearings as to Darren F. Wilder: Jury Selection set for 3/13/2006 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. Jury Trial set for 3/13/2006 09:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. Final Pretrial Conference set for 3/2/2006 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 11/07/2005)
11/30/2005	<a href="#">48</a>	Judge George A. O'Toole Jr.: ORDER entered granting, subject to the attached protective order <a href="#">43</a> Motion to Produce as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 12/01/2005)
11/30/2005	<a href="#">49</a>	Judge George A. O'Toole Jr.: PROTECTIVE ORDER entered. as to Darren F. Wilder re <a href="#">48</a> Order on Motion to Produce (Lyness, Paul) (Entered: 12/01/2005)
12/01/2005		Notice of correction to docket made by Court staff. Correction: Documents 48 and 49 corrected because: They were filed in the wrong sequence as to Darren F. Wilder (Lyness, Paul) (Entered: 12/01/2005)



12/02/2005	<u>50</u>	Joint MOTION to Amend <i>Protective Order</i> as to Darren F. Wilderby USA. (Attachments: # <u>1</u> Text of Proposed Order Protective Order)(Gershengorn, Dana) (Entered: 12/02/2005)
12/20/2005		Set/Reset Hearings as to Darren F. Wilder: Final Pretrial Conference set for 2/27/2006 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 12/20/2005)
01/11/2006		Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>50</u> Motion to Amend as to Darren F. Wilder (1) (Edge, Eugenia) (Entered: 01/11/2006)
01/11/2006	<u>51</u>	Judge George A. O'Toole Jr.: Amended Protective Order entered as to Darren F. Wilder re <u>49</u> Order (Edge, Eugenia) (Entered: 01/11/2006)
01/19/2006	<u>52</u>	First MOTION to Continue Pretrial Conference to 02/14/06 as to Darren F. Wilder. (Horstmann, Peter) Modified on 1/20/2006 to modify text (Edge, Eugenia). (Entered: 01/19/2006)
01/19/2006		Reset Deadlines re Motion in case as to Darren F. Wilder <u>52</u> First MOTION to Continue Pretrial Conference to 02/14/06. Responses due by 1/19/2006 (Edge, Eugenia) (Entered: 01/20/2006)
01/25/2006		Terminate Deadlines and Hearings as to Darren F. Wilder: (Lyness, Paul) (Entered: 01/25/2006)
02/02/2006		Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>52</u> Motion to Continue as to Darren F. Wilder (1) Pretrial Conference set for 2/14/2006 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 02/02/2006)
02/03/2006		Judge George A. O'Toole Jr.: Electronic ORDER entered terminating as Moot <u>40</u> Motion for Extension of Time as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 02/03/2006)
02/08/2006	<u>53</u>	Unopposed MOTION to Substitute Portion of Surety Bond <i>substitution</i> as to Darren F. Wilder. (Horstmann, Peter) Modified on 2/13/2006 to modify text(Edge, Eugenia). (Entered: 02/08/2006)
02/13/2006	<u>55</u>	MOTION to Dismiss <i>Second Superseding Indictment</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/13/2006)

02/14/2006	●	Judge George A. O'Toole Jr.: Electronic ORDER entered granting in open court <u>53</u> Motion for Bond as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 02/14/2006)
02/14/2006	●	ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Final Pretrial Conference as to Darren F. Wilder held on 2/14/2006. Government's short reply to the first two (2) parts of defendant's Motion to dismiss (entrt #55) due in 10 days. Simultaneous Motion in Limine due 2/21/06. Responses due 2/27/06. Court DENIES defendant's Oral motion for Bill of Particulars. Defendant's expert disclosure due on 2/21/06. Trial expected to run 5-10 days. Proposed Voir Dire questions and Post Jury Instructions due 7 days before trial. Defense to submit jury questionnaire. If necessary, hearing on motion in limine will be scheduled for March 9, 2006. (Court Reporter Pam Owens.) (Edge, Eugenia) (Entered: 02/14/2006)
02/17/2006	● <u>56</u>	MOTION jury questionnaire as to Darren F. Wilder. (Attachments: # <u>1</u> Text of Proposed Order jury questionnaire) (Horstmann, Peter) (Entered: 02/17/2006)
02/17/2006	● <u>57</u>	MOTION in Limine <i>to preclude introduction of emails</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/17/2006)
02/17/2006	● <u>58</u>	MOTION in Limine <i>to Exclude Prior Conviction and Internet Subscriptions and History</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/17/2006)
02/18/2006	● <u>59</u>	MOTION in Limine <i>to Preclude Images Not Depicting Sexually Explicit Conduct</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/18/2006)
02/20/2006	● <u>60</u>	MOTION in Limine <i>To Preclude Evidence and Expert Testimony Regarding EnCase Forensic Computer Software</i> as to Darren F. Wilder. (Attachments: # <u>1</u> Exhibit DOJ Study) (Horstmann, Peter) (Entered: 02/20/2006)
02/20/2006	● <u>61</u>	MOTION in Limine <i>Preclude Government's Experts</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/20/2006)
02/20/2006	● <u>62</u>	Joint MOTION to Continue <i>Deadline to file oppositions to motions in limine</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 02/20/2006)
02/20/2006	● <u>63</u>	MOTION to Continue <i>Trial Date and/or Conduct Vor Dire Regarding Parade Magazine Article Dated 2/19/06</i> as to






		Darren F. Wilder. (Horstmann, Peter) (Entered: 02/20/2006)
02/21/2006	<u>64</u>	MOTION in Limine Pursuant to Federal Rule of Evidence 404 (b) as to Darren F. Wilderby USA. (Gershengorn, Dana) Additional attachment(s) added on 2/22/2006 (Edge, Eugenia). (Entered: 02/21/2006)
02/22/2006	<u>65</u>	Opposition by USA as to Darren F. Wilder re <u>55</u> MOTION to Dismiss <i>Second Superseding Indictment</i> (Gershengorn, Dana) (Entered: 02/22/2006)
03/01/2006	<u>66</u>	Proposed Voir Dire by Darren F. Wilder (Horstmann, Peter) (Entered: 03/01/2006)
03/02/2006	<u>67</u>	Letter (non-motion) regarding Article as to Darren F. Wilder (Attachments: # <u>1</u> Attached Article)(Edge, Eugenia) (Entered: 03/02/2006)
03/02/2006	<u>91</u>	AFFIDAVIT of Owner of Cash Deposit by Darren F. Wilder (Lyness, Paul) Additional attachment(s) added on 3/23/2006 (Lyness, Paul). (Entered: 03/23/2006)
03/03/2006	<u>68</u>	Opposition by USA as to Darren F. Wilder re <u>59</u> MOTION in Limine to Preclude Images Not Depicting Sexually Explicit Conduct (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>69</u>	Opposition by USA as to Darren F. Wilder re <u>61</u> MOTION in Limine Preclude Government's Experts (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>70</u>	Opposition by USA as to Darren F. Wilder re <u>63</u> MOTION to Continue Trial Date and/or Conduct Vor Dire Regarding Parade Magazine Article Dated 2/19/06 (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>71</u>	Opposition by USA as to Darren F. Wilder re <u>57</u> MOTION in Limine to preclude introduction of emails (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>72</u>	Opposition by USA as to Darren F. Wilder re <u>58</u> MOTION in Limine to Exclude Prior Conviction and Internet Subscriptions and History (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>73</u>	Opposition by Darren F. Wilder re <u>64</u> MOTION in Limine Pursuant to Federal Rule of Evidence 404(b) (Horstmann, Peter) (Entered: 03/03/2006)
03/03/2006	<u>74</u>	Opposition by USA as to Darren F. Wilder re <u>58</u> MOTION in



		Limine to Exclude Prior Conviction and Internet Subscriptions and History (Gershengorn, Dana) (Entered: 03/03/2006)
03/03/2006	<u>75</u>	Opposition by USA as to Darren F. Wilder re <u>60</u> MOTION in Limine To Preclude Evidence and Expert Testimony Regarding EnCase Forensic Computer Software (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8) (Gershengorn, Dana) (Entered: 03/03/2006)
03/06/2006	<u>76</u>	ELECTRONIC NOTICE OF HEARING ON MOTIONS IN LIMINE as to Darren F. Wilder Motion Hearing set for Thursday, 3/9/2006 10:00 AM in Courtroom 9 before Judge George A. O'Toole Jr.. (Edge, Eugenia) Modified on 3/6/2006 (Edge, Eugenia). (Entered: 03/06/2006)
03/06/2006	<u>76</u>	Opposition by USA as to Darren F. Wilder re <u>56</u> MOTION jury questionnaire (Gershengorn, Dana) (Entered: 03/06/2006)
03/06/2006	<u>77</u>	Proposed Jury Instructions by USA as to Darren F. Wilder (Gershengorn, Dana) (Entered: 03/06/2006)
03/06/2006	<u>78</u>	Proposed Voir Dire by USA as to Darren F. Wilder (Gershengorn, Dana) (Entered: 03/06/2006)
03/06/2006	<u>79</u>	Objection as to Darren F. Wilder: <u>66</u> Proposed Voir Dire filed by Darren F. Wilder,. (Gershengorn, Dana) (Entered: 03/06/2006)
03/06/2006	<u>80</u>	Proposed Jury Instructions by Darren F. Wilder (Horstmann, Peter) (Entered: 03/06/2006)
03/06/2006	<u>81</u>	EXHIBIT and WITNESS LIST by USA as to Darren F. Wilder (Gershengorn, Dana) Modified on 3/7/2006 to modify (Edge, Eugenia). (Entered: 03/06/2006)
03/07/2006	<u>82</u>	WITNESS LIST by Darren F. Wilder (Horstmann, Peter) Modified on 3/7/2006 (Edge, Eugenia). (Entered: 03/07/2006)
03/08/2006	<u>83</u>	REPLY TO RESPONSE to Motion by Darren F. Wilder re <u>60</u> MOTION in Limine To Preclude Evidence and Expert Testimony Regarding EnCase Forensic Computer Software (Attachments: # <u>1</u> Affidavit of Peter Charles Horstmann, Esquire)(Horstmann, Peter) (Entered: 03/08/2006)
03/08/2006	<u>84</u>	REPLY TO RESPONSE to Motion by Darren F. Wilder re <u>61</u> MOTION in Limine Preclude Government's Experts (Horstmann, Peter) (Entered: 03/08/2006)

03/09/2006	85	EXHIBIT/WITNESS LIST by USA as to Darren F. Wilder (Gershengorn, Dana) (Entered: 03/09/2006)
03/09/2006		<p>Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Motion Hearing as to Darren F. Wilder held on 3/9/2006. Court DENIES motion to continue trial. Court hears argument on all motion in limine. Motion <u>61</u> Denied except Thomas Musheno - which the court will have a voir dire before he is allowed to testify. Court reserves ruling on all other motion in limine. Court informs counsel how jury selection will be done. *****Hearing on motions: <u>55</u> MOTION to Dismiss <i>Second Superseding Indictment</i> filed by Darren F. Wilder,, <u>60</u> MOTION in Limine <i>To Preclude Evidence and Expert Testimony Regarding EnCase Forensic Computer Software</i> filed by Darren F. Wilder,, <u>61</u> MOTION in Limine <i>Preclude Government's Experts</i> filed by Darren F. Wilder,, <u>56</u> MOTION jury questionnaire filed by Darren F. Wilder,, <u>63</u> MOTION to Continue <i>Trial Date and/or Conduct Vor Dire Regarding Parade Magazine Article Dated 2/19/06</i> filed by Darren F. Wilder,, <u>57</u> MOTION in Limine <i>to preclude introduction of emails</i> filed by Darren F. Wilder,, <u>58</u> MOTION in Limine <i>to Exclude Prior Conviction and Internet Subscriptions and History</i> filed by Darren F. Wilder,, <u>64</u> MOTION in Limine <i>Pursuant to Federal Rule of Evidence 404 (b)</i> filed by USA,, <u>59</u> MOTION in Limine <i>to Preclude Images Not Depicting Sexually Explicit Conduct</i> filed by Darren F. Wilder,. (Court Reporter Shelly Killian.) (Edge, Eugenia) (Entered: 03/10/2006)</p>
03/10/2006	86	<p>Judge George A. O'Toole Jr.: ORDER on Motion in Limine entered denying <u>56</u> Motion as to Darren F. Wilder (1); denying without prejudice <u>57</u> Motion in Limine as to Darren F. Wilder (1); granting in part and denying in part <u>58</u> Motion in Limine as to Darren F. Wilder (1); denying in part, reserving in part <u>59</u> Motion in Limine as to Darren F. Wilder (1); denying without prejudice to renewal at trial <u>60</u> Motion in Limine as to Darren F. Wilder (1); denying in part, reserving in part <u>61</u> Motion in Limine as to Darren F. Wilder (1); denying <u>63</u> Motion to Continue as to Darren F. Wilder (1); denying <u>64</u> Motion in Limine as to Darren F. Wilder (1) IT IS SO ORDERED...." (Edge, Eugenia) Modified on 3/10/2006 (Edge, Eugenia). (Entered: 03/10/2006)</p>
03/10/2006		<p>Notice of correction to docket made by Court staff. Correction:</p>



		ruling on Motion (60) in limine corrected because: motion #60 is DENIED WITHOUT PREJUDICE as to Darren F. Wilder (Edge, Eugenia) (Entered: 03/10/2006)
03/10/2006	 87	Judge George A. O'Toole Jr.: MEMORANDUM AND ORDER entered. as to Darren F. Wilder re <u>55</u> MOTION to Dismiss <i>Second Superseding Indictment</i> filed by Darren F. Wilder. As to Motion to Dismiss Count I "...I have reviewed each of the four images identified in Count 1, and I conclude that a reasonable grand jury could have found, and a reasonable trial jury could find, that the images at issue depict sexually explicit conduct as defined in 2256(2)(A). Count One shall not be dismissed. As to Motion to Dismiss counts 2 & 3 "...Viewed in light of the Supreme Court's Eighth Amendment jurisprudence, the mandatory minimums set forth in 18 U.S.C. 2252(b)(1) and (2), 15 years for receipt and 10 years for possession, are not grossly disproportionate to the serious offenses that they are meant to punish. Counts 2 and 3 shall not be dismissed. As to Motion to Sever Count I "...Because the defenses are not incompatible and there is no other alleged source of prejudice to the defendant, severance of Count I is not warranted. " It is SO ORDERED. (Edge, Eugenia) Modified on 8/15/2006 (Edge, Eugenia). (Entered: 03/10/2006)
03/10/2006		Motions terminated as to Darren F. Wilder: <u>55</u> MOTION to Dismiss <i>Second Superseding Indictment</i> filed by Darren F. Wilder,. See Memo and Order (entry #87) filed March 10, 2006. (Edge, Eugenia) (Entered: 03/10/2006)
03/13/2006	 88	PROPOSED DOCUMENT(S) submitted to the Court by USA as to Darren F. Wilder (Gershengorn, Dana) (Entered: 03/13/2006)
03/13/2006		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Voir Dire begun on 3/13/2006 (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/14/2006)
03/13/2006		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Selection as to Darren F. Wilder held on 3/13/2006, Motion Hearing as to Darren F. Wilder held on 3/13/2006 re <u>61</u> MOTION in Limine <i>Preclude Government's Experts</i> filed by Darren F. Wilder,Testimony of witness Thomas Musheno given. Exhibits offered and received. Arguments to be given on Tuesday, March 14, 2006



		at 9:00am (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/14/2006)
03/14/2006	●	ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/14/2006, After oral argument, defendant's motion to preclude testimony from govt's expert Thomas Musheno ( #61) is DENIED. The jury is duly empanelled and sworn. Opening statements are given. Testimony of witnesses John Johnson and Michelle Chase given. Testimony of witness Colleen Forgetta begins. Evidence presented. Motions terminated as to Darren F. Wilder: (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/15/2006)
03/15/2006	●	ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/15/2006. Testimony of witness Colleen Forgetta concludes. Testimony of witness Bernardo Nevarro, and Michael Howard given. Testimony of witness Lam Nguyen begins. Evidence presented. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/15/2006)
03/16/2006	●	ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/16/2006. Testimony of Lam Nguyen continued. Testimony of witness Celeste Wilson given. Evidence presented. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/16/2006)
03/16/2006	●90	Bond Set/Reset as to Darren F. Wilder (1) \$250,000; \$25,000.00 in cash and secured \$225,000.00 property located at 298 Haverhill Road, Chester, NH (Lyness, Paul) Additional attachment(s) added on 3/23/2006 (Lyness, Paul). (Entered: 03/23/2006)
03/17/2006	●	ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/17/2006. Testimony of witness Lam Nguyen concluded. Evidence presented. Government rests. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/20/2006)
03/20/2006	●89	MOTION for Acquittal <i>and Incorporated Memorandum of L</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 03/20/2006)
03/20/2006	●	ElectronicClerk's Notes for proceedings held before Judge

		George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/20/2006, Defendant's Rule 29 motion is DENIED Defendant presents his case. Testimony of witnesses Eric Cole and Gary Wilder given. Evidence presented. Defense rests. Charging conference is held. Motions terminated as to Darren F. Wilder: (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/21/2006)
03/21/2006	●	Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Jury Trial as to Darren F. Wilder held on 3/21/2006. Closing arguments are given. The court charges the jury. Deliberations begin and conclude. The jury finds the defendant guilty on all three counts of the superceding indictment. PSR Ordered. Defendant is remanded. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 03/23/2006)
03/21/2006	●92	EXHIBIT re 81 Exhibit/Witness List filed by USA, by USA as to Darren F. Wilder (Lyness, Paul) (Entered: 03/23/2006)
03/21/2006	●93	WITNESS LIST (Lyness, Paul) (Entered: 03/23/2006)
03/21/2006	●94	EXHIBIT (Lyness, Paul) (Entered: 03/23/2006)
03/21/2006	●95	JURY VERDICT as to Darren F. Wilder (1) Guilty on Count 1ss,2ss,3ss. (Lyness, Paul) (Entered: 03/23/2006)
03/21/2006	●96	Judge George A. O'Toole Jr.: ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Darren F. Wilder Sentencing set for 6/28/2006 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. (Lyness, Paul) (Entered: 03/23/2006)
03/23/2006	●	Notice of correction to docket made by Court staff. Correction: Docket No. 90 corrected because: Document was not attached to docket entry as to Darren F. Wilder (Lyness, Paul) (Entered: 03/23/2006)
03/23/2006	●	Judge George A. O'Toole Jr.: Electronic ORDER entered granting Nunc Pro Tunc 62 Motion to Continue as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 03/23/2006)
03/29/2006	●	Judge George A. O'Toole Jr.: Electronic ORDER entered terminating 59 Motion in Limine as to Darren F. Wilder (1) as it was resolved during trial (Lyness, Paul) (Entered: 03/29/2006)
04/05/2006	●97	Assented to MOTION to Release Bond Obligation as to

		Darren F. Wilder. (Horstmann, Peter) (Entered: 04/05/2006)
04/06/2006	●	Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>97</u> Motion to Release Bond Obligation as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 04/06/2006)
04/11/2006	● <u>98</u>	MOTION to Expedite <i>Sentencing Hearing</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 04/11/2006)
04/14/2006	●	Judge George A. O'Toole Jr.: Electronic ORDER entered denying <u>98</u> Motion to Expedite as to Darren F. Wilder (1) (Lyness, Paul) (Entered: 04/14/2006)
04/17/2006	● <u>99</u>	TRANSCRIPT of Daubert Hearing as to Darren F. Wilder held on March 13, 2006 before Judge O'Toole. Court Reporter: Shelly M. Killian. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-7117 or the Clerk's Office. (Scalfani, Deborah) (Entered: 04/17/2006)
04/17/2006	● <u>100</u>	EXCERPT TRANSCRIPT of Jury Trial Day Four (Testimony of Dr. Celeste Wilson) as to Darren F. Wilder held on March 16, 2006 before Judge O'Toole. Court Reporter: Shelly M. Killian. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-7117 or the Clerk's Office. (Scalfani, Deborah) (Entered: 04/17/2006)
04/20/2006	● <u>101</u>	DISCHARGE OF MORTGAGE as to Darren F. Wilder for property located at 298 Haverhill Road, Chester, New Hampshire in the amount of \$25,000.00. (Diskes, Sheila) (Entered: 04/20/2006)
04/20/2006	● <u>102</u>	DISCHARGE OF MORTGAGE as to Darren F. Wilder for property located at 298 Haverhill Road, Chester, New Hampshire in the amount of \$200,000.00. (Diskes, Sheila) (Entered: 04/20/2006)
05/09/2006	● <u>103</u>	Assented to MOTION to Release Bond Obligation as to Darren F. Wilder. (Horstmann, Peter) (Entered: 05/09/2006)
05/10/2006	● <u>104</u>	Judge George A. O'Toole Jr.: Endorsed ORDER entered granting <u>103</u> Motion to Release Bond Obligation as to Darren F. Wilder (1) (Lyness, Paul) Modified on 5/23/2006 to attach order and modify text(Edge, Eugenia). Additional attachment(s) added on 5/23/2006 (Edge, Eugenia). (Entered: 05/10/2006)



06/23/2006	105	MOTION to Strike <i>Potion of PSR</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 06/23/2006)
06/23/2006	106	MOTION for downward Departure <i>/variance and Sentencing Memorandum</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 06/23/2006)
06/27/2006	107	MOTION to Vacate <i>Convictions as to Counts 2 and 3 and Supplement Sentencing Memorandum</i> as to Darren F. Wilder. (Horstmann, Peter) (Entered: 06/27/2006)
06/28/2006		<p>ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:Sentencing held on 6/28/2006 for Darren F. Wilder (1), Count(s) 1ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.; Count(s) 2ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.; Count(s) 3ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for</p>

		conditions of Supervised Release) Defendant is assessed a total of \$300.00., Defendant's motion to strike portions of PSR ( #105) is DENIED; Defendant's motion for downward departure ( # 106) is MOOT; Defendant's motion to vacate convictions on Counts 2 and 3 ( #107) is DENIED. Motions terminated as to Darren F. Wilder: (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 06/29/2006)
06/29/2006	108	Judge George A. O'Toole Jr.: ORDER entered. JUDGMENT as to Darren F. Wilder (1), Count(s) 1ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.; Count(s) 2ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00.; Count(s) 3ss, 180 months imprisonment on eaach of counts 1ss-3ss, to run concurrently with each other. The court recommends to the Bureau of Prisons that the defendant participate in a sex offender treatment and mental health treatment, such as Fort Devens, if available at the designated Bureau of Prisons facility. The court recommends that the defendant be given credit for time served from 7/21/04-3/2/05. 5 years Supervised Release on each of counts 1ss-3ss, to run concurrently with each other. ( See the Judgment and Committment Order for conditions of Supervised Release) Defendant is assessed a total of \$300.00. (Lyness, Paul) (Entered: 06/29/2006)
06/30/2006	109	NOTICE OF APPEAL by Darren F. Wilder NOTICE TO

		COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 7/20/2006. (Horstmann, Peter) (Entered: 06/30/2006)
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